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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

VISA U.S.A. INC.

Plaintiff

vs.

MARITZ INC. d/b/a MARITZ LOYALTY  
MARKETING,

Defendant.

AND RELATED COUNTERCLAIMS

CIVIL ACTION NO. C07-5585 JSW

[PROPOSED] ORDER GRANTING *EX*  
*PARTE* APPLICATION BY MARITZ INC.  
FOR AN ORDER SHORTENING TIME OR,  
IN THE ALTERNATIVE, FOR AN ORDER  
TEMPORARILY STAYING ARBITRATION

1 Having considered the *ex parte* application of Defendant and Counterclaimant Maritz Inc.  
2 d/b/a Maritz Loyalty Marketing (“Maritz”) for an Order expediting this matter so that a hearing  
3 can occur by no later than next Friday, January 11, 2008, or, in the alternative, for an Order  
4 temporarily staying the arbitration proceeding instituted by Plaintiff and Counterclaim Defendant  
5 Visa USA Inc. (“Visa”), the Opposition of Visa, all other papers filed herein, and the records of  
6 the case, the Court hereby orders as follows:

7 \_\_\_\_ IT IS HEREBY ORDERED that the briefing schedule for the Motion to Stay  
8 Arbitration Pending Determination of Arbitrability (“Motion” or “Motion to Stay”), filed by  
9 Maritz on December 20, 2007, be expedited. The new schedule is as follows: the deadline for  
10 Visa to oppose Maritz’s Motion is \_\_\_\_\_, and the deadline for Maritz to submit its reply  
11 in support of its Motion is \_\_\_\_\_. The hearing on the Motion will be on  
12 \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in the above-referenced Court.

13 OR,

14 \_\_\_\_ IT IS HEREBY ORDERED that Arbitration Proceeding No. 74 117 01325 07  
15 NOCA, initiated before the AAA by Visa on November 2, 2007, is hereby STAYED pending  
16 further Order from this Court.

17 IT IS SO ORDERED.

18  
19 Dated: \_\_\_\_\_, 2008

\_\_\_\_\_  
Honorable Jeffrey S. White  
United States District Court Judge

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